

# CERTIFIED WEIGHER STUDY GUIDE

The Colorado Department of Agriculture (CDA) certifies public, commercial, and law enforcement scale operators in accordance with the Colorado Measurement Standards Act (MSA), 35-14 CRS.

The purpose of this study guide is to provide you with a brief overview of what a Certified Weigher (CW) must be familiar with; i.e., scale operations, Certificate of Correct Weight preparation, and record keeping. Please keep a copy handy for easy reference.

For more in-depth information on Certified Weigher' requirements, we **strongly encourage** you to read sections 35-14-121, 122, and 131 of the MSA. You can access this information by going to the Department of Agriculture's Web site, [www.colorado.gov/ag/ics](http://www.colorado.gov/ag/ics), clicking on Measurement Standards, clicking on Laws and Regulations, and then clicking on the Lexis Nexis link.

The following frequently asked questions should help you in becoming more familiar with what Certified Weighers are expected to know:

## ***Who can become a Certified Weigher?***

A person who satisfies the specific MSA requirements for good character, ability to weigh accurately, and issue Certificates of Correct Weight can be authorized to be a Certified Weigher.

Some examples of Certified Weighers include law enforcement agents, public scale operators, weighers at private businesses determining quantities of supplies for CDOT contracts, and county agents at fairs.

## ***Must the business be licensed as a Certified Weigher, or can an individual?***

Certified Weigher licenses are issued to individuals, not businesses. If you wish to issue Certificates of Correct Weight, then you must be licensed. These licenses are non-transferable.

## ***How can I become a Certified Weigher?***

You must complete an application, a citizenship verification form, and take a written exam. The written exam covers the material included in this study guide.

When you have completed the necessary paperwork, send it in, along with your check or money order in the amount of \$\_\_\_\_, to the address listed on the application. **Please allow ten business days to process your paperwork.** If you have not received your license after the ten business days, please contact the Measurement Standards Office at 303-477-4220.

## ***What are some examples of what I might be expected to weigh?***

- Commodities being delivered by truck;
- Trucks to ensure highway weight limit compliance;
- Materials used in state highway contracts;
- Livestock at county and state fairs;
- Household goods being delivered by a moving company; and
- Other applications when an accurate weight determined by an independent third party is desirable.

## ***What is a Certificate of Correct Weight and why do I need to issue one?***

Certified Weighers issue accurate and well-documented records of weight called a Certificate of Correct Weight. The use of this certificate promotes fairness and confidence in commercial transactions and law-enforcement actions based on weight.

### ***Who receives copies of the Certificate of Correct Weight?***

Both the buyer and seller must receive a copy of the certificate.

### ***What needs to be included on a Certificate of Correct Weight?***

- Name of the Certified Weigher, location of the scale, and the date of weighing;
- License number of the vehicle or other positive identification;
- Whether the driver is on or off the scale at the time of weighing;
- Serial number;
- Gross, tare, and net weight of load;
- Name of the shipper or owner of the load and name of the receiver of the load; and
- Nature of the load

### ***What violations of the Measurement Standards Act should I be familiar with if I am a Certified Weigher, and what penalties apply?***

Violations of the MSA are punishable by license revocation, device stop use orders, and fines of up to \$750 per day per violation.

The following are examples of violations:

- Acting as a Certified Weigher without being certified;
- Falsely certifying a weight;
- Altering a Certificate of Correct Weight;
- Altering the quantity of a load after certification and before delivery; and/or
- Using a Certificate of Correct Weight for something other than what was certified.

### ***Why is it important that the scale remains clean and balanced/on zero?***

The scale deck must be able to move up and down freely in order to weigh properly. The accumulation of debris in the gaps around the scale deck can prohibit this freedom of movement.

It is important to keep the scale balanced and on zero. For instance, if snow or mud accumulates on the scale and it is not set to zero, the readout will not be accurate.

### ***How should vehicles be directed onto the scale?***

Vehicles should be directed to come to a stop on the approach and then ease onto the scale slowly, using as little braking as possible and ensuring that all wheels are completely on the scale.

Please remember that if a vehicle drives onto the scale too fast and brakes suddenly, this causes a rocking motion. This rocking motion can slow down the weighment and can damage the scale.

### ***What is split weighing (multiple-draft weighing), and is it legal?***

Split weighing is a type of weighing used when a vehicle is too long for the scale. It involves weighing each set of axles separately and then adding the axle weights together and issuing one Certificate of Correct Weight for the total weight.

Certified Weighers are prohibited from issuing a Certificate of Correct Weight when the vehicle weight is obtained by split weighing because this practice may not produce an accurate weight.

### ***If split weighing is illegal, how is a vehicle that is too long for the scale weighed?***

If the vehicle is a straight truck, it cannot be legally weighed if the entire vehicle does not fit on the scale deck. If the vehicle is a tractor-trailer combination, it is acceptable to weigh the tractor and trailer separately and issue a Certificate of Correct Weight for each. To utilize this type of weighing, the tractor must be decoupled from the trailer and all trailer tires and dolly legs must fit on the deck when the trailer weight is determined.

### ***What determines the minimum load for the scale?***

To understand this question, one must understand where this information is found, what scale divisions are, and how many divisions are appropriate for vehicle scales.

The CDA has adopted into statute the National Institute of Standards and Technology (NIST) Handbook 44, which gives the technical requirements for all weight and measuring devices.

According to NIST Handbook 44, "A vehicle scale shall not be used to weigh net loads smaller than 10 divisions when weighing scrap material for recycling or weighing refuse materials at landfills and transfer stations; 50 divisions for all other weighing."

It is typical for a vehicle scale to have 20-pound divisions. Therefore, if one multiplies 20 by 10, 200 would be the minimum net load for weighing scrap material.

When weighing livestock, please note that, according to NIST Handbook 44, "A scale with scale divisions greater than 2kg (5 lb) shall not be used for weighing net loads smaller than 500 divisions."

If you want more information on divisions and the recommended minimum load weight, please refer to NIST Handbook 44, Section 2.20 Scales, page 2.41, UR 3.1 and page 2.44, UR 3.7. You can access this handbook by going to <http://ts.nist.gov/WeightsAndMeasures/Publications/H44-09.cfm>.

### ***What type of record keeping is required?***

A Certified Weigher must keep a daily register for two years. The daily register is a compilation of every transaction performed by the Certified Weigher. The register must include the following information for each transaction overseen:

- Weigher's name;
- Date of weighing;
- Owner of the load;
- Person for whom weighing was performed;
- Gross and net weights; and
- Vehicle license or identification.

If a fee is charged for public weighing, a copy of the certificate must be retained at the place of weighing for two years.

### ***What should be done when a mistake is made on a Certificate of Correct Weight?***

Write "VOID" on the certificate and keep all copies as part of your records.

## GLOSSARY OF TERMS

**Certified Weigher** – An individual certified by the CDA under the MSA whose role is to positively identify the weight and nature of the load on a scale.

**Scale Deck** -- That component of a scale that the load is applied to.

**Weighbeam** – A mechanical indicating component of the scale that is used to measure weight.

**Scale Readout** – A component of the scale that shows the weight of the load; for example, a digital indicator.

**Scale Division** – A unit of mass that is used to determine how much can be weighed on a scale.

**NIST Handbook 44** – An annual publication by the National Institute of Standards and Technology of the US Department of Commerce, as adopted by the National Conference of Weights & Measures, that contains specifications, tolerances, and other technical requirements for weighing and measuring devices.